

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

MARY DEWS,

Plaintiff,

**HAMMER-SMITH CONSTRUCTION
CO., INC.**

Plaintiff-Intervenor,

THE WALKER PROJECT, INC.

Plaintiff-Intervenor,

VS.

THE TOWN OF SUNNYVALE, TEXAS,

Defendant.

[illegible]

CIVIL ACTION NO. CA3:88-1604-O

**DEFENDANT’S RESPONSE TO PLAINTIFF’S DECLARATION AND
DOCUMENTATION OF REASONABLE AND NECESSARY EXPENSES**

Defendant Town of Sunnyvale, Texas (“Town”) files this its Response to Plaintiff’s Declaration and Documentation of Reasonable and Necessary Expenses (Court Document 237), as follows:

The Town does not admit or concede that Plaintiff is entitled to recover any fees or expenses in connection with ICP's Motion for Contempt. The Town fully reserves its right to challenge the finding of ICP's entitlement to an award of such fees and expenses.

Subject to, and without waiver of, the foregoing reservation of rights, the Town does not contest the reasonableness of the \$80,572.00 in fees and expenses allegedly incurred by ICP in connection with this matter as stated in its Declaration and Documentation of Reasonable and Necessary Expenses.

Respectfully submitted,

s/Terry D. Morgan

Terry D. Morgan

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TOWN OF SUNNYVALE, TEXAS

CERTIFICATE OF SERVICE

I hereby certify that on August 4, 2010, I electronically filed the foregoing document with the clerk of court for the U.S. District Court, Northern District of Texas, using the electronic case filing system. The electronic case filing system sent a “Notice of Electronic Filing” to the attorneys of record, all of whom have consented in writing to accept this Notice as service of this document by electronic means.

s/Terry D. Morgan

Terry D. Morgan